

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN L. WILSON,

Petitioner,

No. CIV S-05-0357 LKK PAN P

vs.

SCOTT KERNAN, Warden,

Respondent.

ORDER

_____/

Petitioner has filed a second request for the appointment of counsel.¹ There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

////

////

////

////

¹ Petitioner’s first request was denied by order filed August 24, 2005.

1 ////

2 Accordingly, IT IS HEREBY ORDERED that petitioner's October 28, 2005
3 request for appointment of counsel is denied.

4 DATED: April 7, 2006.

5
6 
7 UNITED STATES MAGISTRATE JUDGE

8 12;wils0357.110
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26